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ATTORNEY DOCKET NO.: 044481-5058

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Bing-Yan ZHU *et al.*

Application No.: 09/773,374

Filed: February 1, 2001

For: 2-[1H]-QUINOLONE AND
2-[1H]-QUINOXALONE INHIBITORS
OF FACTOR XA

Group Art Unit: 1614

Examiner: Unassigned

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed to the best of the undersigned's knowledge before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

A copy of the listed document is enclosed. Applicants respectfully request that the Examiner consider the listed document and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the above-listed document is material or constitutes "prior art." If the Examiner applies the document as "prior art" against any claim in the application and Applicants determine that the cited document does not

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constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the application and the references therein, should one or more of the documents be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

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Dated: October 26, 2001

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